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Testimony encouraging a FAVORABLE WITH AMENDMENTS report on Senate Bill 638 – Natural Resources – Submerged Aquatic Vegetation Protection Zones – Aerial Surveys

Education, Energy, and the Environment Committee

March 2, 2023

Dear Chairman Feldman and Members of the Committee,

Thank you for the opportunity to submit testimony in **SUPPORT OF SB437 WITH AMENDMENTS**, on behalf of Arundel Rivers Federation. Arundel Rivers is a non-profit organization dedicated to the protection, preservation, and restoration of the South, West and Rhode Rivers with over 3,500 supporters. Our mission is to work with local communities to achieve clean, fishable, and swimmable waterways for present and future generations.

Submerged aquatic vegetation, or “SAV,” are a critical part of the Chesapeake ecosystem – providing food, habitat and oxygen, while also absorbing nutrients, trapping sediment, and preventing erosion. SAV contributes to better water quality, benefiting the economy, society, and ecology of the Bay. As part of the Chesapeake Bay Watershed Agreement, signed in 2014, Maryland has committed to increasing SAV habitat to 185,000 acres of underwater grasses in the Bay.

To assist in reaching and understanding our progress towards Maryland’s SAV habitat goals and protecting SAV beds, SAV Protection Zones are delineated by the Department to protect SAV beds from the impacts of clam harvesting, specifically the hydraulic escalator clam dredge. These Zones are delineated using data collected annually by the Virginia Institute of Marines Science (VIMS).

Senate Bill 638 will require the Department to increase the frequency of the SAV Protection Zone updates from every three years to annually. Three-year updates do not account for new bed establishment or bed expansion. For example, if a new SAV bed were to grow in 2020 and 2021, the bed would be vulnerable to the hydraulic escalator clam dredge until the 2022 update. While this bed may be included in Protection Zones in the future, the bed may already be damaged beyond repair. Comparatively, Virginia’s criteria for delineating SAV restoration areas includes annual updates and publication of the most recent year survey conducted by VIMS. Considering the Department receives the VIMS data annually, we are supportive of the Department protecting grass beds at the earliest sign of growth, which would require annual updates.

However, SB 638 also replaces the aerial survey conducted annually by VIMS, with “an aerial survey compiled by... an entity approved by the Department.” While there are advancements under development, including the use of satellite imagery and remote sensing technology for mapping SAV, those technologies are currently not available for management use and we therefore feel that this is a premature recommendation. **We recommend amendments that retain the use of the VIMS aerial survey for use in SAV protection zone delineation until such time alternative surveys or technologies approved by the Chesapeake Bay Program become available.**

Arundel Rivers Federation encourages the protection of SAV to improve local water quality, fisheries economy, and meet our restoration goals, and respectfully requests a **FAVORABLE WITH AMENDMENTS REPORT on SB638.**

Sincerely,

A handwritten signature in cursive script that reads "Elle Bassett".

Elle Bassett
South, West and Rhode Riverkeeper
Arundel Rivers Federation